

English Learners in Private Schools

English learner (EL) students in non-profit private schools (non-public schools) are eligible to access Title III programs, services, and products when EL students are identified in an appropriate manner; when the local educational agency (LEA) and private school(s) within its jurisdiction have conducted meaningful and timely consultation. EL students in a private school may participate in programs and receive services and products funded by Title III (Title IX, Part E, Section 9501).

To ensure timely and meaningful consultation, the LEA must consult with appropriate private school officials during the design and development of the Title III program on issues such as:

- How the EL student needs to be identified.
- What services will be offered.
- How, when, and by whom the services will be provided.
- How the services will be assessed and how the results of the assessment will be used to improve those services.
- What the size and scope of the services to be provided to the private school children and educational personnel will be.
- What the amount of funds available for those services will be.
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration of the views of the private school officials on the provision of contract services through potential third-party providers.

A plan between the LEA and private school should be developed as a result of initial consultation and address these items. It's advised that this meeting should occur in May of the prior school year. Title III funds may only be used for supplemental EL services that are reasonable, allocable, and allowable. Often this consultation meeting involves use of all ESEA funds for students attending private schools for multiple Title programs when relevant. The application submitted to the DPI includes a form from the private schools within the LEA's jurisdiction indicating their intention to participate in Title I, II, and/or III.

Additional resources and guidance can be found in Title IX, Part E, Uniform Provisions, Subpart 1, Non-Regulatory Guidance. Section J - Resources include: links to statutory, regulatory, and guidance documents on the U.S. Department of Education website; sample consultation checklists; needs assessment forms; consultation timelines; and a list of state department of education and local public school district websites that host ESEA program pages specific to private schools. Additional specific guidance for Title III can be found at

<http://www2.ed.gov/about/offices/list/oii/nonpublic/titlethree.pdf>.

Identifying eligible EL students in private schools

Non-public schools may use procedures similar to those used by public schools to identify private school students eligible for Title III services. The LEA is responsible for the oversight and costs of initial identification and must ensure that objective criteria are used.

A sample EL process is as follows:

- The private school identifies those pupils being considered for participation in the Title III program and administer a Home Language Survey (HLS) that is to be completed by the parent or guardian of selected private school students.
 - Private schools may use the same version of the HLS used by the LEA. If a language other than English is indicated on the HLS, an initial, approved language screener is administered.
 - A HLS is usually administered to students at the time of enrollment, in late summer or the first few days of school, depending on a school's start date.
 - Home Language examples:
<http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap1.pdf>
- A screener is administered within the first 30 days of the start of school. Please see:
<http://dpi.wi.gov/assessment/ell/elp-screening>.
- Wisconsin makes available the ACCESS for ELLs and the W-APT screener for this purpose at no cost to districts or private schools. The W-APT can be found here:
<https://www.wida.us/assessment/W-APT/>.
 - Any alternative English language proficiency assessment administered to private school students must be comparable to the assessment used by public school students, be aligned to academic learning standards within the state or private school, and have technical data demonstrating their validity and reliability.
 - If a private school elects to use an ELP assessment other than the state provided ACCESS for ELLs, Title III funds may be used to cover the purchase cost.
- English proficiency of private school EL students must be assessed annually to determine their continued eligibility for Title III services.

Information about legal obligations can be found here:

<http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>.

Equitable Resources

The Elementary and Secondary Education Act specifies that assistance to EL students in private schools should be equitable to that of EL students in public schools. The recommended method to determine equity is to use the per pupil allocation of Title III LEP student funds as the basis for the cost of Title III products and services to be provided to the private school. The private school should receive an equivalent amount of products and services for each of the EL students served as the public school receives for each of its EL students according to the per pupil allocation.

Data

DPI collects data on the number of EL students enrolled and reported in private schools that receive Title III programs and services. DPI aggregates these data and adds this number to the number of EL students enrolled in public schools to determine funding amounts. Current year allocations are based on the previous year EL school enrollment data.

Private schools are not responsible for meeting the Title III accountability requirements. ELP assessment data of private school EL students can be used for program evaluation and programming purposes. We now have an EL private school student state ID system now as well.

Program Design

Title III program design is not required to be the same for both public and private schools. If the needs of the private school are different from those of the public school, the LEA, in consultation with private school officials, develops a separate program design that is appropriate for the private school students.

Consultation and coordination between LEA and private school officials are essential to ensure a high-quality program that meets the needs of the students being served and assists those students in attaining English proficiency and meeting the same challenging standards as all students.

Teachers providing Title III instructional services must be fluent in English and any other language used for instruction, including having written and oral communications skills (Title III, Section 3116 (c)).

The LEA maintains control of the federal funds used to provide services to private schools. It also maintains title to materials, equipment, and property purchased with those funds. LEAs may allow the private schools to keep the items from year to year, in accordance with approved activities specified in the agreement between the two entities.